

BEFORE THE DEPARTMENT OF WATER RESOURCES

FOR THE STATE OF IDAHO

IN THE MATTER OF APPLICATION)
FOR TRANSFER NO. 78356¹ (SHEKINAH)
INDUSTRIES); APPLICATION FOR)
TRANSFER NO. 78355² (ORCHARD)
RANCH); APPLICATION FOR PERMIT)
NO. 63-32499 (MAYFIELD TOWNSITE);)
APPLICATION FOR PERMIT NO.) **DEFAULT ORDER**
61-12095 (NEVID-CORDER);)
APPLICATION FOR PERMIT NO.)
61-12096 (NEVID); APPLICATION FOR)
PERMIT NO. 63-32703 (ORCHARD)
RANCH); APPLICATION FOR PERMIT)
NO. 61-12256 (INTERMOUNTAIN)
SEWER AND WATER); APPLICATION)
FOR PERMIT NO. 63-33344 (ARK)
PROPERTIES-MAYFIELD TOWNSITE))
_____)

This matter having come before the Idaho Department of Water Resources ("Department"), the Department makes the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

1. On May 13, 2013, the Department served a Notice of Proposed Default Order upon G3 LLC ("protestant") for failure to appear at a pre-hearing conference to discuss holding a single, consolidated hearing to take evidence regarding the water supply available for eight pending applications: Transfer nos. 73811 (renumbered to Transfer no. 78356) and 73834 (renumbered to Transfer no. 78355), and application for permit nos. 61-12095, 61-12096, 61-12256, 63-32499, 63-32703, and 63-33344. The pre-hearing conference was held on October 25, 2011 in Boise, Idaho in the above captioned matter.

2. The protestant did not respond to the Notice of Proposed Default Order.

¹ Transfer no. 78356 was renumbered from Transfer no. 73811.

² Transfer no. 78355 was renumbered from Transfer no. 73834.

CONCLUSIONS OF LAW

1. IDAPA Rule 37.01.01.702 (Rule of Procedure 702) authorizes the Department to issue a Default Order for failure to timely respond to the Notice of Proposed Default Order.
2. The Department should issue a Default Order.

ORDER

IT IS THEREFORE, HEREBY ORDERED that protestant G3 LLC is in default, and that the protestant is **dismissed** as a party in the contested case.

Dated this 29th day of May, 2013.


GARY SPACKMAN
Hearing Officer

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 29th day of May, 2013, a true and correct copy of the document described below was served by placing the same in the United States mail, certified with return receipt, postage prepaid and properly addressed to the following:

Document(s) Served: DEFAULT ORDER

MICHAEL PRESTON
SHEKINAH INDUSTRIES INC
420 BITTERROOT DR
BOISE ID 83709

SPF WATER ENGINEERING
300 E MALLARD DR STE 350
BOISE ID 83706

MICHAEL CREAMER
GIVENS PURSLEY LLP
PO BOX 2720
BOISE ID 83701-2720

TONYA D BOLSHAW
PO BOX 16022
BOISE ID 83715

ERICK POWELL
BROCKWAY ENGINEERING
2016 N WASHINGTON ST STE 4
TWIN FALLS ID 83301

DANA QUINNEY
SCOTT QUINNEY
160 S PRONGHORN
BOISE ID 83716

JOHN K SIMPSON
BARKER ROSHOLT & SIMPSON LLP
PO BOX 2139
BOISE ID 83701-2139

NORMAN M SEMANKO
ATTORNEY AT LAW
PO BOX 1256
BOISE ID 83701-1256

BRUCE SMITH
MOORE SMITH
950 W BANNOCK STE 520
BOISE ID 83702

TIM CONRADS
75 S PRONGHORN RD
BOISE ID 83716

CLEVELAND CORDER LLC
622 20 E LN
GARDEN CITY ID 83714

DEL KOHTZ
IDAHO WATER COMPANY
1135 VALLEY RD S
EDEN ID 83325

CRAIG HAYNES
G3 LLC
2136 E LEWANDOWSKI LN
BOISE, ID 83716

INTERMOUNTAIN SEWER AND
WATER CORP
C/O GREG JOHNSON
1710 S WELLS AVE STE 110
MERIDIAN ID 83680

MARY FRISCH
155 S PRONGHORN DR
BOISE ID 83716

GRIFFIN HERREN
719 DESERT WIND RD
BOISE ID 83716

DARLA BATEMAN
404 E INDIAN CREEK RD
BOISE ID 83716

WENDY TIPPETTS
999 N SLATER CREEK
MAYFIELD ID 83716

LORI ATKINS
602 E MIKE'S PL
BOISE ID 83716

ED VAN GROUW
5089 S DEBONAIR LN
MERIDIAN ID 83642

JOHN WESTRA
IDWR WESTERN REGION
2735 AIRPORT WAY
BOISE ID 83705-5082

WAYNE SHEPHERD
DIRECTOR OF PUBLIC WORKS
CITY OF MOUNTAIN HOME
PO BOX 10
MOUNTAIN HOME ID 83647

BROWN FARMS LLC
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CITY OF POCATELLO
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BEEMAN & ASSOCIATES
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Deborah J. Gibson
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